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Attorneys for Plaintiff
Association of Irrigated Residents

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ASSOCIATION OF IRRITATED RESIDENTS,) Case No. 09-cv-01890-CW
an unincorporated association,)

Plaintiff,)

v.)

UNITED STATES ENVIRONMENTAL)
PROTECTION AGENCY, LISA JACKSON,)
in her official capacity as Administrator of)
the United States Environmental)
Protection Agency, and LAURA YOSHII,)
in her official capacity as Acting)
Regional Administrator for Region IX)
of the United States Environmental)
Protection Agency,)

Defendants.)

**STIPULATION TO EXTEND TIME TO
FILE A BILL AND A MOTION FOR
COSTS**

STIPULATION TO EXTEND TIME
TO FILE A BILL AND MOTION FOR COSTS

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4 WHEREAS, on April 30, 2009, Plaintiff Association of Irritated Residents filed the
5 above-captioned matter against the United States Environmental Protection Agency ("EPA"),
6 alleging that EPA has failed to undertake certain nondiscretionary duties under the Clean Air
7 Act, 42 U.S.C. §§ 7401-7671q, and that such alleged failures are actionable under section
8 304(a)(2) of the Clean Air Act, 42 U.S.C. § 7604(a)(2);
9

10 WHEREAS, the parties have agreed to a private settlement of this action, thereby
11 reducing litigation expenses and preserving the Court's resources;

12 WHEREAS, on December 30, 2009, the Court entered a Consent Decree in the above-
13 captioned matter;

14 WHEREAS, in that Consent Decree, the deadline to file a bill of costs pursuant to local
15 rule 54-1 and a motion for costs of litigation, including reasonable attorneys' fees, was set for 60
16 days after the entry of the Consent Decree;

17 WHEREAS, the parties are currently negotiating fees and believe they can resolve
18 informally the issue of fees and costs without a motion;

19 WHEREAS, any final settlement of this case must be approved by authorized officials at
20 the United States Department of Justice and EPA, a process that can take several weeks;

21 WHEREAS, the only other requested extension of time was to facilitate settlement
22 discussions;
23

24 WHEREAS, the parties believe that the requested extension will not adversely affect the
25 schedule of this case;

26 NOW THEREFORE, pursuant to Local Rules 6-2 and 7-12, the parties, by and through
27 their undersigned counsel, hereby stipulate to the following:
28

STIPULATION TO EXTEND TIME
TO FILE A BILL AND MOTION FOR COSTS

1 1. AIR's time to file a Bill of Costs and Motion for Costs and Fees is extended by 60 days
2 to April 29, 2010.

3
4 COUNSEL FOR PLAINTIFF:

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7 Dated: 2/24/10

/s/ Alegría De La Cruz

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9 ALEGRÍA DE LA CRUZ

10 BRENT NEWELL

Center On Race, Poverty & the Environment

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13 Phone: (415) 346-4179

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15 Counsel for Plaintiff Association of Irrigated
16 Residents

17
18 COUNSEL FOR DEFENDANTS:

19
20 Dated: 2/24/10

IGNACIA S. MORENO

21 Assistant Attorney General

22 Environment & Natural Resources Division

23
24 /s/ Rochelle L. Russell

25 ROCHELLE L. RUSSELL

26 Attorney, Environmental Defense Section

27 United States Department of Justice

28 301 Howard Street, Suite 1050

STIPULATION TO EXTEND TIME
TO FILE A BILL AND MOTION FOR COSTS

San Francisco, CA 94105

Phone: (415) 744-6566

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Counsel for Defendants

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 3/22/2010

A handwritten signature in blue ink, appearing to read "Claudia Wilken", is written over a horizontal line.

CLAUDIA WILKEN

UNITED STATES DISTRICT JUDGE

STIPULATION TO EXTEND TIME
TO FILE A BILL AND MOTION FOR COSTS